

REMARKS

This amendment is offered in response to the Office Actions of August 13, 2003 and April 19, 2004.

In response to the rejection of Claim 8 under 35 U.S.C. §112, second paragraph, Claim 8 has been amended to track the language in the specification describing Figure 10. See the sole paragraph on page 8 of the specification, along with Figure 10. It is respectfully submitted that the rejection under 35 U.S.C. §112, second paragraph, has been overcome.

The Office Action rejected Claim 12 under 35 U.S.C. §103(a) (the applicant assumes that the citation to 35 U.S.C. §102(b) in the Office Action was a typographical error) as obvious over the Sanborn reference (U.S. Patent No. 4,437,293) in view of the Van Erden reference (U.S. patent No. 6,212,857) or the Strand reference (U.S. Patent No. 6,526,726) or the Ausnit reference (U.S. Patent No. 6,1131,369). Similarly, the Office Action rejected Claims 1-20 under 35 U.S.C. §103 as obvious over the Sanborn reference in view of the Malin reference (U.S. Patent No. 6,138,436).

However, the specific combinations recited in the claims are not shown or suggested in the prior art. Neither the Sanborn reference nor the Malin reference disclose slider operated zippers as recited in Claim 1, or zippers sealed to the film by their flanges as recited in Claim 1 which is required for the disclosed slider operated zippers. Sanborn discloses fully sealing the web to the film. Sanborn uses joined zippers. Sanborn would not function with slider-operated zippers. Therefore, the entire technology of attaching the zippers to the film is different. Furthermore, with respect to the dependent claims (3, 4, 11, 18 and 19), while peel seal and lines of weakness are known, it is the placement relative to the zippers in the claimed method and apparatus is not disclosed or suggested in the prior art.

Moreover, additional prior art cited by the Examiner has been reviewed but is not considered any more pertinent than the references applied against the claims by the Examiner and distinguished herein.

For all of the reasons above, it is respectfully submitted that the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw his rejections of the claims, to enter the present amendment, to allow the claims, and to pass this application to early issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald Levy", with a stylized flourish at the end.

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